

**City of Fayetteville**  
**Regular Mayor and City Council Meeting**  
**Minutes**  
**June 4, 2015**

**Call to Order**

The Mayor and City Council of Fayetteville met in regular session on June 4, 2015 at 7:00 p.m. in the Council Chambers at City Hall. Mayor Clifton called the meeting to order, followed by Opening Prayer by Danny Harrison, and then led those attending in the Pledge of Allegiance to the Flag. Council members present were: Mickey Edwards, Edward Johnson, Paul Oddo, Scott Stacy, and James Williams. Staff members present were City Manager Ray Gibson and City Clerk Anne Barksdale.

Stacy moved to approve the minutes of the regular Council Meeting of May 21, 2015. Johnson seconded the motion. Motion carried unanimously.

**Public Hearings:**

Mayor Clifton called Consider Beer & Wine License for JMC Legacy Ventures, LLC, d/b/a Johnny's Pizza located at 230 North Glynn St. for Martin Martino.

Anne Barksdale, City Clerk said application has been reviewed and approved.

There were no public comments.

Stacy moved to approve Beer & Wine License for JMC Legacy Ventures, LLC, d/b/a Johnny's Pizza located at 230 North Glynn St. for Martin Martino. Edwards seconded the motion. Motion carried unanimously.

Mayor Clifton called Consider #0-13-15 – FY 2015 Budget Amendment – 2<sup>nd</sup> Reading.

Mike Bush, Director of Finance & Administration stated there have been no changes from the last presentation. This is mainly housekeeping items, adjusting the budget for a net effect being an increase in revenues of \$633,555; additional revenues with no offsetting expenses. He added this is another positive step with Fayetteville's economy.

## SUMMARY

Fund	Current Budget	Amended Budget
General Fund	\$ 10,667,935	\$ 11,259,436
Water and Sewer Fund	\$ 7,396,819	\$ 7,438,873
	\$ 18,064,754	\$ 18,698,309
		\$ 633,555

There were no public comments.

Oddo moved to approve #0-13-15 – FY 2015 Budget Amendment. Johnson seconded the motion. Motion carried unanimously.

### **Old Business:**

Mayor Clifton called Presentation Regarding NFPA 1141 – Fire Department Overview of PCD Requirements.

Alan Jones, Fire Chief provided an overview of current fire safety requirements as related to PCD projects subject to the requirements of NFPA 1141. He said he was presenting this information so clarification can be made for plan review purposes regarding Pinewood Forrest requirements.

There were questions and comments made by Mayor and Council, Director of Community Development Brian Wismer, City Manager Ray Gibson, The Villages developer Roch DeGolian, Pinewood Developers Bill Foley, Jim Pace, and Rick Halbert about cost, insurance, safety, size of sprinkler systems and meters, development codes, and PCD requirements and zoning regulations.

No action was taken on this item.

Mayor Clifton called Consider Zoning Condition Clarification for Ordinance #0-10-15 – Regarding Amendment to PCD Zoning – 1065 Hood Road, 431 Veteran’s Parkway, and Parcel #05-28-011 – Pinewood Forrest.

Ray Gibson, City Manager stated at the May 21, 2015 City Council Meeting the Council voted to approve Ordinance #0-10-15 which amended the current PCD zoning for three parcels totaling approximately 135 acres near the intersection of Veterans Parkway and Hood Road. These three parcels were annexed into the City in 2013 and approved for a mixed-use development under a master plan submitted at that time which included street networks and architectural imagery. He said these parcels will become the first phase of a master plan which also includes two of the parcels currently under consideration for annexation.

Staff recommended approval of the request with the following 6 conditions:

- Annexed property shall be developed consistent with the Master Plan and Land Use Plan for the West Fayetteville Area.
- Upon the initial filing of a preliminary plat for subdivision of the property contained in Phase 1A, and at each other designated phase of the master plan development, the City shall review and, if warranted, require an update to the property Development Agreement which shall be approved by the City before building permits are issued.
- The developer of this property shall work with the City to develop an implementation schedule for traffic mitigation, and provide such mitigation as recommended by the findings of the DRI study for this project area.
- The developer shall not exceed the maximum number of residential units approved for the subject property; specifically stated as follows: 600 single-family units, 600 multi-family units, 100 townhomes.
- An approved plan for long-term stormwater maintenance on the subject property, including budgeting and enforcement, shall be provided by the applicant to the satisfaction of City Staff and Engineers.
- The following language shall be added to Item 28 of the Development Agreement for the subject property: *In addition to the State Minimum Standard Code, the requirements of NFPA 1141, 1998 Edition, shall apply to all development in accordance with the PCD Zoning Ordinance. In cases of a conflict between any requirements, the most restrictive shall apply.*

He added the Council voted to approve the zoning amendment with the following 4 conditions:

- Annexed property shall be developed consistent with the Master Plan and Land Use Plan for the West Fayetteville Area.
- Upon the initial filing of a preliminary plat for subdivision of the property contained in Phase 1A, and at each other designated phase of the master plan development, the City shall review and, if warranted, require an update to the property Development Agreement which shall be approved by the City before building permits are issued.
- The developer of this property shall work with the City to develop an implementation schedule for traffic mitigation, and provide such mitigation as recommended by the findings of the DRI study for this project area.
- An approved plan for long-term stormwater maintenance on the subject property, including budgeting and enforcement, shall be provided by the applicant to the satisfaction of City Staff and Engineers.

Mr. Gibson explained, in the motion for approval Council Member Jim Williams stated that he would like to remove the requirement for fire sprinkler systems within single-family dwellings, and the motion was ultimately approved. Staff will need clarification on the request to remove condition 6 from the staff recommendation. *Section 94-172(3)(m)* of the PCD ordinance requires the following regarding NFPA 1141:

*All development must adhere to National Fire Protection Association (NFPA) 1141, Standard for Fire Protection in Planned Building Groups. The fire chief or designee may approve exceptions, including access, spacing, and fire protection requirements, provided the exceptions meet the intent of the applicable codes.*

He said Staff needs to know if the removal of the fire sprinkler systems within the single-family dwellings was also a removal of the minimum separation distance between houses of twenty feet (20'). In other words, it needs to be made clear to staff if the intent was to omit the requirements of NFPA 1141 for this portion of the Pinewood Forrest development.

Williams moved to ratify the previous vote from last city council meeting based on discussion from tonight to approve the removal of sprinkler requirements and distance requirement to minimum separation distance between houses of 10 feet (10') in Phase 1 of Pinewood Forrest. Oddo seconded the motion. Motion carried unanimously.

**New Business:**

Mayor Clifton called Consider R-17-15 – Approval of Residential Solid Waste & Recyclables Collection Services Contract for Waste Industries.

Ray Gibson, City Manager stated on May 1, 2015 the one-year contract extension with Waste Industries for Residential Solid Waste & Recyclables Collection Services expired. As a result, the City entered into a temporary agreement with Waste Industries to allow the services while the Request for Proposal (RFP) process was finishing up. There were two steps to the RFP process. The first process requested a price quote for yard waste collection in addition to solid waste and recyclables collection. The bids received under this step were as follows:

<b>Company Name</b>	<b>Bid Totals (Solid Waste/Recycling/Yard Waste)</b>
<b>Unity Southern</b>	No Bid
<b>Toter Inc.</b>	No Bid
<b>Waste Management</b>	\$12.02
<b>Waste Industries</b>	\$12.10
<b>Latham Home Sanitation</b>	\$12.24
<b>Advanced Disposal</b>	\$19.26
<b>Republic Services</b>	\$20.25

Once the bids were received for this RFP, staff determined that it was not in the best interest of the City to pursue yard waste collection services because of the substantial increase in cost to the City. As a result, a second part of the RFP process was initiated whereby the five (5) companies who submitted original proposals were given a week and a half to provide price quotes for just the collection of solid waste and recyclables.

On May 7, 2015 the City received the amended bids and the results were as follows:

<b>Company Name</b>	<b>Solid Waste Collection</b>	<b>Recyclables Collection</b>	<b>Totals</b>
<b>Waste Industries</b>	\$7.85	\$1.72	\$9.57
<b>Latham Home Sanitation</b>	\$9.67	\$0.00	\$9.67
<b>Waste Management</b>	\$7.15	\$3.10	\$10.25
<b>Advanced Disposal</b>	\$9.01	\$4.95	\$13.96
<b>Republic Services</b>	\$13.50	\$3.50	\$17.00

After reviewing the proposals thoroughly to ensure compliance with the RFP, staff is recommending entering into a contract with Waste Industries. The contract is attached hereto as Attachment 'A' for your review. As a part of the new contract agreement, Waste Industries is proposing to utilize 65 gallon containers (lids and wheels) for recycling services to be picked up every other week. The

current recycling service is every week with each resident being provided an 18 gallon box container. With this change, along with the removal of the requirement for a performance bond, the new rate to the City will be \$9.06 per customer. The current rate the City charges each customer will not change.

Mr. Gibson added one amendment to the contract; the contract increase will be capped at 3% per year.

David Hunt with Waste Industries answered questions on the new recycling bins.

Johnson moved to approve R-17-15 – Approval of Residential Solid Waste & Recyclables Collection Services Contract for Waste Industries. Edwards seconded the motion. Motion carried unanimously.

Mayor Clifton called Consider R-18-15 – Council Support of RFP for Economic Development Plan/Strategy.

Ray Gibson, City Manager stated at the 2015 City Council Retreat it was determined that the City of Fayetteville needed to move forward with an Economic Development Plan/Strategy. As a result, a stakeholders meeting was held on Monday, April 27, 2015 in order obtain input into the development of the project scope for this strategy. Based on the input from the meeting, staff has moved forward with the creation of a “Request for Proposal (RFP)” document for your review.

Under the direction of the Community Development Department, the Economic Development Plan/Strategy will be a customized, comprehensive strategic plan for the community’s economic development for the period 2015–2025. The project is intended to determine the best and most reasonable strategies, initiatives, methodologies and techniques, the implementation of which will encourage:

- Private/corporate capital investment
- Increase in personal wealth for the local resident population
- Reduction in commercial displacement and vacancy trends
- Job creation in appropriate business/industry sectors
- Maximization of sustainable economic growth in the City of Fayetteville

The chosen consultant will consider a full range of traditional and non-traditional economic development strategies; including but not limited to:

- Programs addressing business retention, attraction, and entrepreneurship development
- Product planning and development
- Organizational structure
- Funding

- Policies, regulations, and procedures
- Incentives
- Economic development partner alignment
- Marketing

He said it is estimated that the creation of an Economic Development Plan for the City of Fayetteville will cost between \$50,000.00 and \$75,000.00. The funding is available in the current FY2015 budget; however, it will be included in the FY2016 budget if a consultant is not chosen prior to August 1, 2015. Approval of this resolution will allow staff to move forward and advertise the RFP.

Stacy moved to approve R-18-15 – Council Support of RFP for Economic Development Plan/Strategy. Oddo seconded the motion. Motion carried unanimously.

#### **Consent Agenda:**

Mayor Clifton called for approval of Consent Agenda – Consider Items for Surplus.

Anne Barksdale, City Clerk stated we have a list of items ready to be declared surplus. Items are from Fire, Police, Court, and Finance. This includes eight vehicles from the Police Department.

Once declared surplus, the other items listed will be auctioned through GovDeals online auction.

Stacy moved to approve Consent Agenda as presented. Johnson seconded the motion. Motion carried unanimously.

#### **City Manager and Staff Reports:**

Ray Gibson, City Manager stated thoughts and prayers offered for Chief Pitts in the passing of his father.

The Hood Avenue/Hwy 92 Realignment Project is now out for bid.

He said we will have an Executive Session next meeting on the realignment project.

#### **Mayor's Comments:**

Mayor Clifton said we received a nice compliment from the Post 105 Commander for the cemetery upkeep and improvements that coincided with Memorial Day. We are very proud of our Public Works Department.

He said we also were complimented by Fayette Area Dermatology during their ribbon cutting last week about the professionalism and courteousness of our entire staff.

We hosted a pizza party for eight year old Andrew Fleming to further his efforts in his food drive and we hope to be able to help him in the future with this event.

There is a Fayette Chamber Liaison meeting tomorrow to promote Economic Development in the community.

Saturday the Nature Preserve will have a work day for the trails, and our first concert with Chuck Negron of Three Dog Night at the Southern Ground Amphitheater will be Saturday night.

Piedmont Fayette Hospital will be adding an addition to their hospital and will have a groundbreaking on June 17<sup>th</sup>.

There was one public comment by Danny Harrison thanking the City for having a family friendly business downtown – Scoops Restaurant.

Johnson moved to adjourn the meeting. Oddo seconded the motion. The motion carried unanimously.

Respectfully submitted,

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Anne Barksdale, City Clerk